

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

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KESTER OBOMIGHIE,

Plaintiff,

-against-

ERIC HOLDER, et al.

Defendants.

Case No. 4:11-CV-03978

NOTICE OF MOTION FOR
ADMISSION PRO HAC
VICE & OF INTENT TO
REQUEST LEAVE TO FILE
A SUPPLEMENTAL
MEMORANDUM OF LAW

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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Brian Gardner and attached exhibits, the undersigned counsel hereby moves this Court at the United States Courthouse, 1729 Fifth Avenue North, Birmingham Alabama 35203, for an Order and Judgment pursuant to Local Rule 83.1(b) granting the undersigned counsel, Brian Gardner, admission *pro hac vice* to this Court for the purposes of representing the Plaintiff herein, including the potential filing of a supplemental memorandum of law in support of Plaintiff's Petition for a Writ of Habeas Corpus, along with such other and further relief as the Court deems just and proper.

Dated: New York, New York
February 29, 2012

SULLIVAN GARDNER PC

By: /s/ Brian Gardner
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

-----X

KESTER OBOMIGHIE,

Case No. 4:11-CV-03978

Plaintiff,

-against-

DECLARATION
OF BRIAN GARDNER

ERIC HOLDER, et al.

Defendants.

-----X

Brian Gardner deposes and states pursuant to 28 U.S.C. §1746:

1. I am a member in good standing of the bar of the State of New York and I am also admitted to practice before the following courts: U.S. District Courts for the Southern District of New York, Eastern District of New York, and Western District of New York; the U.S. Court of Appeals 2nd Circuit; and the U.S. Court of Appeals 3rd Circuit.

2. This Declaration is submitted in support of my motion to be admitted *pro hac vice* so that I may appear before this District Court in connection with the instant matter.

3. I have been retained by Plaintiff Kester Obomighie for purposes of representing him in this matter. By this application, I seek admission to practice before the Court and also notice intent to request leave to file a supplemental memorandum in support of Plaintiff's Petition for Writ of Habeas Corpus.

4. I was admitted to practice before the U.S. District Court for the Southern District of New York, the district in which I reside and maintain an office, on January 26, 1995. I am a member in good standing of the bar the State of New York and of the

Southern District of New York. Annexed hereto as Exhibit A is a Certificate of Good Standing from the U.S. District Court from the Southern District of New York dated February 28, 2012.

5. Together with this written motion, I am submitting an application for admission to practice and the required \$50 fee. A copy of the written application is annexed hereto as Exhibit B.

6. Accordingly, I respectfully request admission *pro hac vice* to this Court in order to appear as counsel for Plaintiff in the instant matter.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 29, 2012

/s/ Brian Gardner
Brian Gardner, Esq.
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New York, New York 10003
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